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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,175	11/15/2000	Yusuke Itaba	400925	5910

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EXAMINER

SAID, MANSOUR M

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 11/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

OUR

Office Action Summary

Application No.

09/712,175

Applicant(s)

ITABA ET AL.

Examiner

MANSOUR M SAID

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. Figures 37-45 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8, 10 and 12-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Fukuda et al. (6,163,318; hereinafter referred to as Fukuda).

As to claim 1, Fukuda teaches a peripheral device (CRT or LCD) (abstract) of comprising display means (display, (figure 1, (8)) and column 4, lines 1-21) on which a plurality of windows are displayed (windows, (figures 2, 8, 12, 13-15 and 17, (W1-W4)) and abstract; column 4, lines 21-29; column 5, lines 35-45 and column 6, lines 15-24); and managing means (window management section, (figure 1, (3) for outputting processing requests that request execution of monitoring processes and for outputting (figures 3 & 6-7; column 4, lines 1-18 and column 5, lines 15-67), when receiving a processing result of the monitoring processes that are

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based on the processing requests and the processing result received to the windows (figures 3-17; column 4, lines 1-56; column; column 5, lines 15-67; column 6, lines 15-24; column 8, lines 9-40 and column 9, lines 20-40).

As to claim 2, Fukuda teaches an input means (input section, (figure 1, (1)) in which the output periods (display, (figure 1, (8)) of the processing requests that are output from the managing means (window management section, (figure 1, (3)) are set for the respective programmable controllers corresponding to the respective windows (figures 1, & 6-7 and column 5, lines 15-67), wherein the managing means outputs (window management section, (figure 1, (3)) the processing requests to the programmable controllers based on the output periods that have been set in the input means (column 4, lines 55-67; column 4, lines 1-19 and column 5, lines 15-67).

As to claim 3, Fukuda teaches an input means (input section, (figure 1, (1)) for selecting an arbitrary window from the plurality of windows (windows, (figure 2, (W1-W4) (figures 1-2 and column 3, lines 55-67 and column 4, lines 1-41), wherein the managing means outputs a processing request to only to a programmable controller corresponding to the selected window (figures 1-2 & 6-7, and column 5, lines 15-67).

As to claim 4, Fukuda teaches an input means (input section, (figure 1, (1)) for selecting an arbitrary window from the plurality of windows the managing means (window management section, (figure 1, (3)) switches the output period of the processing request that is output to the programmable controller in accordance with whether the programmable controller corresponds to the window that has been selected by the input means (figures 1-2 & 6-7; column 3, lines 55-67 and column 4, lines 1-41 and column 5, lines 15-67).

As to claim 5, Fukuda teaches an output period of a processing request that is output to a programmable controller corresponding to the window that has been selected by the input means is shorter than an output period of a processing request that is output to a programmable controller corresponding to a window that has not been selected (figures 6-7 & 9; column 5, lines 15-67; column 8, lines 8-40 and column 9, lines 20-40).

As to claim 6, Fukuda teaches an input means (input section, (figure 1, (1))) for selecting an arbitrary window from the plurality of windows (figures 1 & 13-15 and column 3, lines 55-67 and column 4, lines 1-30); and a timer for measuring for each of the plurality of windows (figures 1-2, 4 & 6; column 4, lines 51-57 and column 5, lines 15-36), a time during which the arbitrary window is selected by the input means (input section, (figure 1, (1))) (figures 1-2, 4 & 6; column 3, lines 55-67; column 4, lines 1-41; column 4, lines 51-57 and column 5, lines 15-36), wherein the managing means (window management section, (figure 1, (3))) outputs the processing requests to the respective programmable controllers corresponding to the respective windows at output periods that are based on the times that have been measured by the timer (figures 1-2, 4 & 6; column 3, lines 55-67; column 4, lines 1-41; column 4, lines 51-57 and column 5, lines 15-36)

As to claim 7, Fukuda teaches the output period of the processing request that is output to the programmable controller corresponding to the arbitrary window is obtained by selecting a maximum value from the times during which the respective windows have been selected by the input means (input section, (figure 1, (1))) (figures 4 & 6; column 4, lines 42-67 and column 5, lines 15-67) and that have been measured by the timer dividing the selected maximum value (detect MAX window, (figure 16, (S81))) by the time of the arbitrary window (figures 4 & 6;

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column 4, lines 42-67; column 5, lines 15-67 and column 8, lines 29-40), and multiplying a resulting quotient by a reference period that is input through the input means (input section, (figure 1, (1)) (figures 1-2, 4, & 6-7, column 3, lines 55-67; column 4, lines 1-41; column 4, lines 51-57 and column 5, lines 15-67).

As to claim 8, Fukuda teaches an input means (input section, (figure 1, (1)) for specifying a portion of a window (figures 1-2; column 3, lines 55-67 and column 4, lines 1-29); wherein the managing means (window management section, (figure 1, (3)) outputs a processing request that requests execution by the programmable controller of a monitoring process relating only the portion of the window specified (figure 3, (column 3, lines 5-10; column 7, lines 30-45 and column 8, lines 1-33), and receives a processing result of the monitoring process of the programmable controller that relates only to the portion of the window specified based on the processing request (figures 1-2, 4, & 6-7, column 3, lines 55-67; column 4, lines 1-41; column 4, lines 51-57 and column 5, lines 15-67).

As to claim 10, Fukuda teaches wherein characterized in that the processing results of the monitoring processes in the programmable controllers that are output to the windows are updated at updating periods that are different for the respective programmable controllers based on the output periods of the processing requests that were output from the managing means to the programmable controllers (figures 1-2, 4, & 6-7, column 3, lines 55-67; column 4, lines 1-41; column 4, lines 51-57 and column 5, lines 15-67).

As to claim 12, Fukuda teaches setting with input means (input section, (figure 1, (1)), the output periods of the processing requests for the respective programmable controllers corresponding to the respective windows (figures 1 & 6-7 and column 5, lines 15-67), wherein

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the processing requests are output based on the output periods that have been set with the input means (column 4, lines 1-19; column 4, lines 55-67 and column 5, lines 15-67).

As to claim 13, Fukuda teaches comprising selecting with input means (input section, (figure 1, (1)), an arbitrary window from the plurality of windows (windows, (figure 2, (W1-W4)); (figures 1-2; column 3, lines 55-67 and column 4, lines 1-41), wherein processing requests are output only to a programmable controller corresponding to the window (figures 1-2 & 6-7 and column 5, lines 15-67).

As to claim 14, Fukuda teaches selecting with input means (input section, (figure 1, (1)), an arbitrary a window (figures 1-2 and column 4, lines 1-29), wherein processing requests are output while switching the output period of the processing request that is output to the programmable controller in accordance with whether the programmable controller corresponds to the window that has been selected with the input means (figures 1-2 & 6-6; column 1, lines 25-35; column 3, lines 55-67; column 4, lines 1-41 and column 5, lines 15-67).

As to claim 15, Fukuda teaches selecting with input means (input section, (figure 1, (1)), an arbitrary window from the plurality of windows (windows, (figure 2, (W1-W4)) (figures 1-2; column 3, lines 55-67 and column 4, lines 1-41); and measuring (selecting, (abstract) and accumulating (adding, (column 3, lines 47-50)) with a timer (time of formation; (column 4, lines 51-57 and column 5, lines 15-36)) for each of the plurality of windows (column 4, lines 1-29), a time during which the arbitrary window is selected with the input means(input section, (figure 1, (1)) (abstract and column 4, lines 51-57 and column 5, lines 15-36)), wherein the processing requests are outputs at output periods that are based on the times that have been measured with the timer (column 4, lines 51-57 and column 5, lines 15-36).

As to **claim 16**, Fukuda teaches an input means (input section, (figure 1, (1))), a portion of a window (figures 2-5; abstract and column 4, lines 1-29), wherein the processing request that requests a programmable controller corresponding to the window having the portion specified is output to execute a monitoring process relating to the portion specified (figures 1-2, 4, & 6-7, column 3, lines 55-67; column 4, lines 1-41; column 4, lines 51-57 and column 5, lines 15-67).

As to **claim 17**, Fukuda teaches wherein the processing results of the monitoring processes in the programmable controllers that are output to the windows are updated at updating periods that are different for the respective programmable controllers based on the output periods of the processing requests that were output from the managing means to the programmable controllers (figures 1-2, 4, & 6-7, column 3, lines 55-67; column 4, lines 1-41; column 4, lines 51-57 and column 5, lines 15-67).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukuda in view of Ho et al. (5,739,821; hereinafter referred to as Ho).

As to **claim 9**, Fukuda teaches all claimed limitation except that a portion of the window specified is a portion where an output result is indicated.

However, Ho teaches that a portion of the window specified is a portion where an output result is indicated (figures 2-4; abstract; column 4, lines 50-67 and column 5, lines 1-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Ho's display having window controller into Fukuda's device so that a designating and displaying the detected window frame as appointed window frame over the monitor screen (abstract).

As to claim 11, Ho teaches a method monitoring of a peripheral device (computer system, (figure 3, (40)) comprising outputting processing requests that request execution of monitoring processes corresponding to respective windows being displayed on display means at output periods that are different (abstract; figures 3-5 & 8-11; column 5, lines 1-50 and column 8, lines 17-67); receiving, based on the output periods, processing results of the monitoring processes that are based on the processing requests (figure 3 and column 5, lines 1-25 and column 9, lines 5-67); and outputting the processing results received to the windows (figures 3-4 & 10-11 and column 5, lines 1-50).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Christensen (6,493,002 B1) teaches a method and apparatus for displaying and accessing control and status information in a computer system.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Mansour M. Said** whose telephone number is (703) 306-5411.

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The examiner can normally be reached on Monday through Thursday from 8:30 a.m. to 6:00 p.m. The examiner can also be reached on alternate Friday from 8:30 a.m. to 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Shalwala Bipin**, can be reached at **(703) 305-4938**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

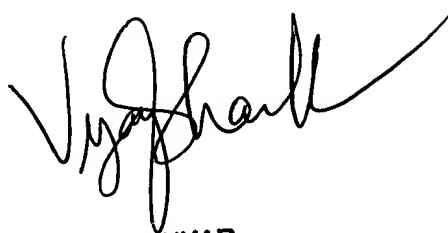
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist)

8. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer service Office
Whose telephone number is (703) 306-0377.

Mansour M. Said

October 21, 2003



VIJAY SHANKAR
PRIMARY EXAMINER